

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

IN RE: § § CASE NO. 24-30242
CLARKE GIBSON RESTARUANT GROUP, § § Chapter 11
LLC § §
Debtor § §

UNOPPOSED MOTION TO DISMISS VOLUNTARY PETITION

THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 21 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU.

IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.

A HEARING WILL BE CONDUCTED ON THIS MATTER ON JULY 9, 2024 @ 11AM IN COURTROOM 403, 515 RUSK ST. HOUSTON, TEXAS 77002. THE HEARING WILL BE HELD ON A HYBRID BASIS. PARTIES MAY APPEAR EITHER REMOTELY OR IN PERSON UNLESS THE COURT ORDERS OTHERWISE.

TO APPEAR ELECTRONICALLY GO TO <https://www.gotomeet.me/JudgeNorman>. YOU MUST CONNECT BY TELEPHONE: 832-917-1510. CONFERENCE CODE NO: 174086

REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY.

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, CLARKE GIBSON RESTARUANT GROUP, LLC, Debtor in the above-referenced Bankruptcy Case and files this Unopposed Motion to Dismiss Voluntary Petition and

support thereof would show the following:

I.

CLARKE GIBSON RESTARUANT GROUP, LLC, filed a voluntary petition under Chapter 11 of the Bankruptcy Code on January 24, 2024, that commenced this bankruptcy case.

II.

The Debtor now believes that it can affect reorganization outside the scope of the protection afforded to the Debtor under Title 11 of the United States Code.

III.

Debtor is current on its U.S. Trustee Quarterly Fees. Debtor has also filed its latest operating report for the period of April 2024. Debtor anticipates that Debtor's May operating report will be filed prior to a hearing set on the instant motion.

IV.

The Debtor no longer desires to pursue this matter in Bankruptcy Court. Debtor's attorney has contacted Jana Whitworth of the U.S. Trustee's office. She does not oppose the filing of this motion.

WHEREFORE, Debtor prays that the Order for Relief resulting from the filing of the voluntary petition for relief under Chapter 11 of the Code be dismissed without prejudice, and that this Court grant to Debtor such other and further relief to which Debtor may be justly entitled.

Dated: June 6, 2024

Respectfully submitted,

By: /s/ Aaron W. McCardell Sr.
Aaron W. McCardell Sr.
TBN: 24120996
SDOT: 3611005
440 Louisiana Street, Ste. 1575
Houston, TX 77002
713-236-8736
713-236-8990 (Fax)

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of this Motion was delivered by U.S. Mail, Postage Prepaid, facsimile, and/or electronic delivery to the creditors, the United States Trustee, equity holders, those parties registered to receive electronic notice of filings in this case through the Court's ECF notification, all parties requesting notice, and all affected parties listed in the attached service list on this 6th day of June 2024.

/s/ Aaron W. McCardell Sr.
Aaron W. McCardell Sr.

Label Matrix for local noticing

0541-4

Case 24-30242

Southern District of Texas

Houston

Thu Jun 6 21:14:19 CDT 2024

Harris County, ATTN: Property Tax Division
 Harris County Attorney's Office
 P.O. Box 2848
 Houston, TX 77252-2848

Clarke Gibson Restaurant Group, LLC

8604 HWY 6 N
 Houston, TX 77095-2101

Harris County ESD #09

Linebarger Goggan Blair & Sampson LLP
 c/o Jeannie L. Andresen
 PO Box 3064
 Houston, TX 77253-3064

Unity National Bank
 c/o Bickerstaff Heath Delgado Acosta LLP
 5444 Westheimer Rd.
 Suite 1000
 Houston, TX 77056-5318

Lone Star College System
 Linebarger Goggan Blair & Sampson LLP
 c/o Jeannie Lee Andresen
 PO Box 3064
 Houston, TX 77253-3064

Texas Comptroller of Public Accounts, Revenue
 Kimberly A. Walsh
 PO Box 12548
 Austin, TX 78711-2548

AltCap Texas
 c/o Lynn Hamilton Butler
 Husch Blackwell LLP
 111 Congress Avenue, Suite 1400
 Austin, TX 78701-4093

American Express
 P.O Box 96001
 Los Angeles, CA 90096-8000

American Express National Bank
 c/o Becket and Lee LLP
 PO Box 3001
 Malvern PA 19355-0701

Amsterdam Capital Group Inc.
 135 E 57th St. Ste 110
 New York, NY 10022-2182

Amsterdam Capital Group Inc.
 150 Worth Avenue
 Suite 224
 Palm Beach FL 33480-4410

Carl Grady Thomas III
 8604 HWY 6 North
 Houston Texas 77095-2101

(p) JPMORGAN CHASE BANK N A
 BANKRUPTCY MAIL INTAKE TEAM
 700 KANSAS LANE FLOOR 01
 MONROE LA 71203-4774

Comptroller of Public Accounts
 C/O Office of the Attorney General
 Bankruptcy - Collections Division MC-008
 PO Box 12548
 Austin TX 78711-2548

Harris County ESD #09
 c/o Jeannie L. Andresen
 Linebarger Goggan Blair & Sampson LLP
 PO Box 3064
 Houston, TX 77253-3064

Harris County Water Control and
 Improvement District #145
 11111 Katy Freeway, Suite 725
 Houston, TX 77079-2175

Harris County, et al.
 P.O. Box 2848
 Houston, TX 77252-2848

(p) INTERNAL REVENUE SERVICE
 CENTRALIZED INSOLVENCY OPERATIONS
 PO BOX 7346
 PHILADELPHIA PA 19101-7346

JPMorgan Chase Bank, N.A.
 s/b/m/t Chase Bank USA, N.A.
 c/o Robertson, Anschutz, Schneid,
 Crane & Partners, PLLC
 6409 Congress Avenue, Suite 100
 Boca Raton, FL 33487-2853

Khan Development Inc
 P.O. Box 680608
 Houston Texas 77268-0608

LAW OFFICE OF NELSON M. JONES III
 440 Louisiana
 Suite 1575
 Houston, Texas 77002-1053

Lone Star College System
 c/o Jeannie L. Andresen
 Linebarger Goggan Blair & Sampson LLP
 PO Box 3064
 Houston, TX 77253-3064

PayPal Business
 P.O. Box 530075
 Atlanta, GA 30353-0075

Restaurant Technologies
 8781 West Rd Suite 190
 Houston, Texas 77064-1455

Rewards Network Cash Advance
 540 W Madison St Suite 2400
 Chicago, Illinois 60661-2562

Rhodes Lang Consulting
 5414 Wisteria Brook Ln
 Spring, Texas 77379-3312

Small Business Administration
 P.O. Box 3918
 Portland, OR 97208-3918

Texas Workforce Commission
 Office of Attorney General
 BK/Collections
 P.O. BOX 12548, MC008
 Austin, TX 787112548

US Trustee
 Office of the US Trustee
 515 Rusk Ave
 Ste 3516
 Houston, TX 77002-2604

Unity National Bank
 2602 Blodgett St.
 Houston, Texas 77004-5316

Unity National Bank, N.A.
 c/o Kwame Caine
 2602 Blodgett St.
 Houston, TX 77004-5316

Aaron W. McCardell Sr.
 The McCardell Law Firm, PLLC
 440 Louisiana
 Suite 1575
 Houston, TX 77002-1053

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

Chase Business
 P.O. Box 15299
 Wilmington, DE 19850-5299

Internal Revenue Service
 P.O. Box 21126
 Philadelphia, PA 19114

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u) Harris County Water Control and Improvemen	(d) Clarke Gibson Restaurant Group, LLC	End of Label Matrix
	8604 HWY 6 N	Mailable recipients 34
	Houston, TX 77095-2101	Bypassed recipients 2
		Total 36